

THE FOREMOST DIVORCE CASE.

Superior Court.
Before Chief Justice Oakley.

CATHERINE N. FOREST vs. EDWIN FOREST.

TENTH DAY.

Dec. 20.—The court room was, as on the previous nine days of this case, well filled long before the hour for proceeding with the business. The trial is likely to last for several days to come, and, in expectation of this event, the counsel on each side signed a stipulation commencing that the present term be continued over to next month. The Judge's final term, on Saturday, issued an order that the present final term of the Superior Court hold, but the Chief Justice

ret. Mr. Forrest was early in attendance, and Mrs. Forrest entered the court shortly afterwards, accompanied by Mrs. N. P. Willis.

At 10 o'clock, the Chief Justice took his seat on the bench; the jury were called over, and all being present the Court directed counsel to proceed.

Mr. Lawson was again called to the stand, and cross-examined by Mr. O'Connor. Q—Are you Mr. Forrest's agent in pecuniary matters? A—If agent means one who receives compensation, I will answer you Q—Do you attend to his money matters? A—I have partly since '47. Q—Has he any other agent but yourself? A—He has one who resides in the city, and for him in Twenty-second street, I have an account; other; I have an account current with Mr. Forrest; I cannot say I owe him anything, for his money is always in my hands. Q—Do you not feel that you are the debtor of him, my relations with Mr. Forrest have been very intimate; they have not been so intimate with Mrs. Forrest. A—Not since November, 1847. Q—Has she said so, by the person who opened the door.

A.—I have seen it under her own hand, this morning.

To the Chief Justice.—I have no personal knowledge of her being at home.

To Mr. O'Connor.—It was Mrs. Bedford (Underwood) who opened the door; I was asked if I had any message, and I said no; when Mr. Forrest was at home I visited him very frequently; on an average, once a week; very

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at my house several times, but I don't give parties; he would sometimes spend five minutes, and sometimes five hours with me; I suppose all my family would be present; I have seen him at dinner once at Mr. Phelan's; my impression is that I have seen him there on other occasions;

Was at any party there; Mr. Forrester was out of town, and Mr. Forbush was there; I thought Forntall for him after his return from out of jail; it was on the 6th of February, but I can't recollect whether it was 1843 or 1844; he was in Savannah at the time; I don't recollect the date; my impression is that they returned in the autumn of the following year. If they went in January, 1843, then I recollect it was in October, 1840. My impression is that they were away more than one year, but I have the dates and can get them for you. I think it was the fall of the second year they returned. Q.—I assume they returned in the fall of the second year; you recollect after their return you purchased Fontall; A.—I can't speak positively, but my impression is it was in 1847. In January, 1847, my impression is that the work at Fontall was going on.

Q.—You can tell us up to that time how much that building had cost.

A.—I can't object. The defendant was not on trial for extravagance.

Q.—O'Connor—Well, we are.

The Court said the question was irrelevant.

Mr. Van Buren said that if he would be permitted, he would show for what purpose this building was constructed, he would have object to the evidence of its cost.

Mr. O'Connor was not willing to admit evidence of inferred good intentions.

Witness continued;—It was in '49 about the same state it is now; the Court said it was not material; it was fresco painting, which could not be described; and said that was finished; he intended it as a residence for his family.

Q.—How much per annum would be necessary to maintain the residence?

Mr. Van Buren objected.

The Court said he did not rule one way or the other till he heard the argument.

Mr. O'Connor said he would let it be given ruled out, as he was sure no gentleman on the jury but would understand.

Q.—How much per annum you don't sum up yet until it is all over. (Laughter.)

Mr. O'Connor said he think you will then and that I will sum it up. (Laughter.)

Witness continued;—I have visited Fontall frequently within the last year; I have been there half a dozen times between May and the fall of '49. I met no one there.

him there but once in '49; I dined there with him, sometimes in the farmhouse and sometimes in the village; I never saw him again until the 10th of July, 1850. I never was there on the 4th of July. — Between 1st May, '49, and 1st Dec. '49, where did Mr. Forrest live? — He resided at Philadelphia, and passed the time with me, part at Fonthill, and part at a place called "The sister's," in June, '49, he came to my house very sick, and was there about a week; during that time Mrs. Forrest was at Philadelphia, and I was at my house to see Mr. Forrest, when he was better; I don't know that she came by appointment; I was not present at the time. — Mrs. Forrest was stopping with Mrs. Voorhies in Germantown, and I had written to her to come; I invited Mr. Forrest to make my house his home; he was with me till June, 1850, and then he went to Philadelphia, and lived at the residence; he slept in my house every night — while in town, during three months altogether; — From November, 1850, to the 1st of February, 1851, Mr. Forrest's house, was at Philadelphia, and I visited him there; — Did your house almost every night? — A. No, sir, I remember him being in Philadelphia for a considerable time, but I do not know what day of the week which was arranged in May or June, '49, Mr. Forrest pro-

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